

[Amendment by section 201(b), (c) of Pub. L. 102-237 to sections 1466 and 1470 of Pub. L. 101-624, set out above, effective as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101-624, to which the amendment relates, see section 1101(b)(1) of Pub. L. 102-237, set out as an Effective Date of 1991 Amendment note under section 1421 of this title.]

Pub. L. 102-341, title VII, § 730, Aug. 14, 1992, 106 Stat. 909, provided that: "For loan guarantees authorized under sections 1465-1469 of Public Law 101-624 [set out above] for the Agricultural Resource Conservation Demonstration Program, \$10,000,000. For the cost, as defined in section 502 of the Congressional Budget Act of 1974 [2 U.S.C. 661a], \$3,644,000: *Provided*, That, hereafter, no other funds are available in this or any other Act to carry out this program, other than those provided for in advance in Appropriations Acts, except for the cost of administering the program: *Provided further*, That such limitation shall not apply with respect to the duties and obligations of the Secretary regarding any loan or note guarantees, interest assistance agreements, or other understandings entered into during fiscal year 1992, and the personnel of the Department shall carry out the duties and obligations of the Secretary, and any other requirements imposed on the Secretary regarding such Agricultural Resource Conservation Demonstration Loan Program with respect to the loan made and guaranteed in 1992."

§ 4202. Identifying effects of Federal programs on conversion of farmland to nonagricultural uses

(a) Development of criteria to identify

The Department of Agriculture, in cooperation with other departments, agencies, independent commissions, and other units of the Federal Government, shall develop criteria for identifying the effects of Federal programs on the conversion of farmland to nonagricultural uses.

(b) Use of criteria to identify

Departments, agencies, independent commissions, and other units of the Federal Government shall use the criteria established under subsection (a) of this section, to identify the quantity of farmland actually converted by Federal programs, and to identify and take into account the adverse effects of Federal programs on the preservation of farmland; consider alternative actions, as appropriate, that could lessen such adverse effects; and assure that such Federal programs, to the extent practicable, are compatible with State, unit of local government, and private programs and policies to protect farmland.

(c) Availability of restorative, etc., information

The Department of Agriculture may make available to States, units of local government, individuals, organizations, and other units of the Federal Government information useful in restoring, maintaining, and improving the quantity and quality of farmland.

(Pub. L. 97-98, title XV, § 1541, Dec. 22, 1981, 95 Stat. 1342; Pub. L. 101-624, title XIV, § 1454, Nov. 28, 1990, 104 Stat. 3614.)

AMENDMENTS

1990—Subsec. (b). Pub. L. 101-624 inserted "to identify the quantity of farmland actually converted by Federal programs, and" after "of this section,".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4209 of this title.

§ 4203. Existing policies and procedures; review, etc.

(a) Each department, agency, independent commission, or other unit of the Federal Government, with the assistance of the Department of Agriculture, shall review current provisions of law, administrative rules and regulations, and policies and procedures applicable to it to determine whether any provision thereof will prevent such unit of the Federal Government from taking appropriate action to comply fully with the provisions of this chapter.

(b) Each department, agency, independent commission, or other unit of the Federal Government, with the assistance of the Department of Agriculture, shall, as appropriate, develop proposals for action to bring its programs, authorities, and administrative activities into conformity with the purpose and policy of this chapter.

(Pub. L. 97-98, title XIV, § 1542, Dec. 22, 1981, 95 Stat. 1343.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4207 of this title.

§ 4204. Technical assistance

The Secretary is encouraged to provide technical assistance to any State or unit of local government, or any nonprofit organization, as determined by the Secretary, that desires to develop programs or policies to limit the conversion of productive farmland to nonagricultural uses.

(Pub. L. 97-98, title XV, § 1543, Dec. 22, 1981, 95 Stat. 1343.)

§ 4205. Farmland resource information

(a) The Secretary, through existing agencies or interagency groups, and in cooperation with the cooperative extension services of the States, shall design and implement educational programs and materials emphasizing the importance of productive farmland to the Nation's well-being and distribute educational materials through communications media, schools, groups, and other Federal agencies.

(b) The Secretary shall designate one or more farmland information centers to serve as central depositories and distribution points for information on farmland issues, policies, programs, technical principles, and innovative actions or proposals by local and State governments.

(Pub. L. 97-98, title XV, § 1544, Dec. 22, 1981, 95 Stat. 1343.)

§ 4206. Grants, contracts, etc., authority

The Secretary may carry out the purposes of this chapter, with existing facilities and funds otherwise available, through the use of grants, contracts, or such other means as the Secretary deems appropriate.

(Pub. L. 97-98, title XV, § 1545, Dec. 22, 1981, 95 Stat. 1343.)

§ 4207. Reporting requirement

On January 1, 1987, and at the beginning of each subsequent calendar year,¹ the Secretary of Agriculture shall report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives on the progress made in implementing the provisions of this chapter. Such report shall include information on—

(1) the effects, if any, of Federal programs, authorities, and administrative activities with respect to the protection of United States farmland; and

(2) the results of the reviews of existing policies and procedures required under section 4203(a) of this title.

(Pub. L. 97–98, title XV, §1546, Dec. 22, 1981, 95 Stat. 1343; Pub. L. 99–198, title XII, §1255(a), Dec. 23, 1985, 99 Stat. 1518.)

AMENDMENTS

1985—Pub. L. 99–198 substituted “On January 1, 1987, and at the beginning of each subsequent calendar year.” for “Within one year after December 22, 1981.”.

§ 4208. Limitations

(a) This chapter does not authorize the Federal Government in any way to regulate the use of private or non-Federal land, or in any way affect the property rights of owners of such land.

(b) None of the provisions or other requirements of this chapter shall apply to the acquisition or use of farmland for national defense purposes during a national emergency.

(Pub. L. 97–98, title XV, §1547, Dec. 22, 1981, 95 Stat. 1344; Pub. L. 101–624, title XXV, §2502, Nov. 28, 1990, 104 Stat. 4066.)

AMENDMENTS

1990—Subsec. (b). Pub. L. 101–624 inserted before period at end “during a national emergency”.

§ 4209. Prohibition on maintenance of actions

This chapter shall not be deemed to provide a basis for any action, either legal or equitable, by any person or class of persons challenging a Federal project, program, or other activity that may affect farmland: *Provided*, That the Governor of an affected State where a State policy or program exists to protect farmland may bring an action in the Federal district court of the district where a Federal program is proposed to enforce the requirements of section 4202 of this title and regulations issued pursuant thereto.

(Pub. L. 97–98, title XV, §1548, Dec. 22, 1981, 95 Stat. 1344; Pub. L. 99–198, title XII, §1255(b), Dec. 23, 1985, 99 Stat. 1518.)

AMENDMENTS

1985—Pub. L. 99–198 substituted “by any person” for “by any State, local unit of government, or any person” and inserted proviso.

CHAPTER 74—FLORAL RESEARCH AND CONSUMER INFORMATION

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§ 4301. Congressional findings and declaration of policy

Flowers and plants are an integral part of American life, contributing a natural and beautiful element, especially in urban areas, to what is increasingly a manmade, artificial environment for this country's citizens. Providing comfort and pleasure for many special occasions as well as for everyday living, flowers and plants work against visual pollution and, in the case of green plants, generate oxygen within their environment. The flowers and plants to which this chapter refers are cut flowers, potted flowering plants, and foliage plants. These flowers and plants are produced by many individual producers throughout the United States and in foreign countries. These products move in interstate and foreign commerce, and those that do not move in such channels of commerce directly burden or affect interstate commerce of these products. The maintenance and expansion of existing markets and the development of new or improved markets and uses are vital to the welfare of flower and plant producers, brokers, wholesalers, and retailers throughout the Nation. The floral industry within the United States is comprised mainly of small- and medium-sized businesses. The producers are primarily agriculturally-oriented companies rather than promotion-oriented companies. The development and implementation of coordinated programs of research and promotion necessary for the maintenance of markets and the development of new markets have been inadequate. Without cooperative action in providing for and financing such programs, individual flower and plant producers, wholesalers, and retailers are unable to implement programs of research, consumer and producer information, and promotion necessary to maintain and improve markets for these products. It is widely recognized that it is in the public interest to provide an adequate, steady supply of fresh flowers and plants to the consumers of the Nation. The American consumer requires a continuing supply of quality and affordable flowers and plants as an important element in the quality of life. It is, therefore, declared to be the policy of Congress and

¹ So in original. The period probably should be a comma.